IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.38973 of 2008
ARUN YADAV
Versus
STATE OF BIHAR
---

2. 16.10.2008 Heard Sri Yogesh Chandra Verma, Senior Advocate for the petitioner and the learned A.P.P. for the State.

As may appear from the simple reading of the FIR the petitioner also fired at the deceased causing an injury.

The contention is such that could not be to be brushed aside lightly that there was free fight between the parties so much so that persons on the side of the petitioner had also received grievous injuries.

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The court feels that these situations could be viewed and considered by the learned Judge who could have before him the doctor and the I.O. In that light I do not want to go that deeper as has been requested by the learned Senior counsel. Considering that the petitioner also appears one of the assailants- the prayer is dismissed.

I want to direct the Sessions Judge in the event of completion of the investigation and committal of Noorsarai P.S.Case No.98 of 2008

and 99 of 2008 to the court of Sessions that both the cases be listed before one Judge who could take up the hearing of the case simultaneously so much so as to fixing the date for judgement in both the case on one date.

(Dharnidhar Jha, J.)

B.Kr.

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